

110TH CONGRESS  
1ST SESSION

# S. 2462

To provide that before the Secretary of Defense may furlough any employee of the Department of Defense on the basis of a lack of funds, the Secretary shall suspend any nonessential service contract entered into by the Department of Defense, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2007

Mr. AKAKA (for himself, Mr. DODD, and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To provide that before the Secretary of Defense may furlough any employee of the Department of Defense on the basis of a lack of funds, the Secretary shall suspend any nonessential service contract entered into by the Department of Defense, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LIMITATION ON FURLOUGHS OF EMPLOYEES**

4                                   **OF THE DEPARTMENT OF DEFENSE.**

5       (a) DEFINITIONS.—In this Act:

6                   (1) EMPLOYEE.—The term “employee”—

1 (A) has the meaning given under section  
2 7511(a)(1) of title 5, United States Code; and

3 (B) includes a member of the Senior Exec-  
4 utive Service.

5 (2) FURLOUGH.—The term “furlough”—

6 (A) has the meaning given under section  
7 7511(a)(5) of title 5, United States Code; and

8 (B) with respect to a member of the Senior  
9 Executive Service, has the meaning given under  
10 section 3595a(a) of title 5, United States Code.

11 (b) LIMITATION ON FURLOUGHS.—Before the Sec-  
12 retary of Defense may furlough employees of the Depart-  
13 ment of Defense on the basis of a lack of funds, the Sec-  
14 retary shall suspend all nonessential service contracts en-  
15 tered into by the Department of Defense as are necessary  
16 to make up for the lack of funds.

17 (c) TRANSFER OF FUNDS.—The Secretary of De-  
18 fense shall transfer an amount equal to payments not re-  
19 quired to be made by the United States by reason of the  
20 suspension of contracts under subsection (b) from the ap-  
21 plicable appropriations accounts used for making such  
22 payments into the applicable appropriations accounts for  
23 the salaries and expenses of employees.

24 (d) USE OF TRANSFERRED FUNDS.—Amounts trans-  
25 ferred into appropriations accounts under subsection (c)

1 may be used for authorized purposes of those accounts to  
2 prevent the furlough of employees on the basis of a lack  
3 of funds.

4 (e) EFFECTIVE DATE.—This Act shall apply with re-  
5 spect to fiscal year 2008.

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